

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

**R.M.S. TITANIC, INC.,
successor-in-interest to
Titanic Ventures, limited partnership,
Plaintiff,**

v.

Civil Action No. 2:93cv902

**THE WRECKED AND ABANDONED VESSEL,
ITS ENGINES, TACKLE, APPAREL,
APPURTENANCES, CARGO, ETC., LOCATED
WITHIN ONE (1) NAUTICAL MILE OF A POINT
LOCATED AT 41 43' 32" NORTH LATITUDE
AND 49 56' 49" WEST LONGITUDE,
BELIEVED TO BE THE R.M.S. TITANIC
in rem,
Defendant.**

STATUS REPORT

The United States, as *amicus*, and on behalf of its National Oceanic and Atmospheric Administration ("NOAA"), provides the following status update:

On April 20, 2023, David Concannon submitted a letter to the Court on behalf of OceanGate Expeditions, Ltd., advising of OceanGate's plans for its 2023 *Titanic* Survey Expedition. *See* ECF No. 683. Because OceanGate is not proposing to conduct any "research, exploration, salvage, or other activity that would physically alter or disturb the wreck or wreck site of the RMS *Titanic*," NOAA has determined and advised OceanGate that an authorization pursuant to Section 113 of the Consolidated Appropriations Act, 2017, Pub. L. No. 115-31, 131 Stat. 192 (May 5, 2017), is not required. *See* Exhibit 1 (May 5, 2023, Letter from Dr. Richard W. Spinrad (NOAA Administrator) to David Concannon).

Respectfully submitted,

Jessica D. Aber
United States Attorney

By: /s/ Kent P. Porter
Kent P. Porter, VSB No. 22853
Assistant United States Attorney
Attorney for the United States
United States Attorney's Office
8000 World Trade Center
101 West Main Street
Norfolk, VA 23510
757-441-6331
Fax: 757-441-6689
kent.porter@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of May, 2023, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

Brian Andrew Wainger Ryan V.P. Dougherty William R. Poynter Kaleo Legal 4456 Corporation Lane Suite 135 Virginia Beach, VA 23462 Email: bwainger@kaleolegal.com E-Mail: rdougherty@kaleolegal.com E-Mail: wpoynter@kaleolegal.com	David G. Barger, VSB #21652 GREENBERG TRAURIG, LLP 1750 Tysons Boulevard, Suite 1200 McLean, Virginia 22102 Tel: (703) 749-1300 Fax: (703) 749-1301 E-Mail: BargerD@gtlaw.com
--	---

/s/ Kent P. Porter
Kent P. Porter, VSB No. 22853
Assistant United States Attorney
Attorney for the United States
United States Attorney's Office
8000 World Trade Center
101 West Main Street
Norfolk, VA 23510
757-441-6331
Fax: 757-441-6689
kent.porter@usdoj.gov